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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,087	12/16/2005	Hiroshi Yahata	92478-8300	2444
52044 7590 03/23/2007 SNELL & WILMER L.L.P. (Matsushita) 600 ANTON BOULEVARD SUITE 1400 COSTA MESA, CA 92626			EXAMINER WENDMAGEGN, GIRUMSEW	
			ART UNIT 2621	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE 3 MONTHS		MAIL DATE 03/23/2007	DELIVERY MODE PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/561,087

Applicant(s)

YAHATA ET AL.

Examiner

Girumsew Wendmagegn

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6-9 and 12-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-9 and 12-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 12/16/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim1-3, 6-9 and 12-15 is rejected under 35 U.S.C. 102(e) as being anticipated by Ikeda et al (Pub. Number US 2006/0188223).

Regarding claim1, 13, A recording medium used for storing data, comprising: a digital stream generated by multiplexing a video stream and a graphics stream, the graphic stream is a sequence of a plurality of packets which include a packet containing control information (see page3 paragraph 0073); and the control information indicates that graphic data contained in a preceding packet in the sequence is to be displayed at a predetermined time in a state of being overlaid on the video stream (see page5 paragraph 0092).

Regarding claim2, The recording medium of claim 1, wherein: each of the plurality of packets belongs to any of a plurality of display sets which are each used for

Art Unit: 2621

reproducing a graphics display; the graphics data and the control information belong to different display sets.

Regarding claim3, The recording medium of claim 2, wherein the display sets further comprise: a Epoch Start DS having information necessary for displaying a next screen composition and is provided at the start of memory management on a reproduction time axis (see page5 paragraph 0089); an Acquisition Point DS having information necessary for displaying a next screen composition; and a Normal Case DS having difference information from a previous screen composition (see page5 paragraph 0091); wherein the Epoch Start DS is provided at the start of a memory management on a reproduction time axis and the Acquisition Point DS and the Normal Case DS are provided at a point other than the start of the memory management; and the graphic data belongs either to the Epoch Start DS or the Acquisition Point DS, and the control information belongs to the Normal Case DS (see page 5-6 paragraph0092-0095).

Regarding claim6, The recording medium of claim3, wherein: the Epoch Start DS includes window information for defining an area of displaying the graphic data (see page5 paragraph 0092); the window information specifies a position, a height, and a width of a window on a screen, the window being an area in which the graphics data is to be rendered when overlaying the graphics data on the video stream; and the control information indicates that the graphics data is to be positioned within the window.

Art Unit: 2621

Regarding claim 7, 14 and 15, A reproduction apparatus for reproducing a digital stream generated by multiplexing a video stream and a graphics stream, comprising: a video decoder operable to decode the video stream to generate a moving picture (see figure 25 video decoder); a graphics decoder operable to decode the graphics stream to generate graphics, and overlay the graphics and the moving picture, wherein upon reading control information in the graphics stream, the graphics decoder displays graphics which has been generated by decoding graphics data that precedes the control information in the graphics stream, based on the control information (see figure 25 graphics decoder).

Regarding claim 8, the reproduction apparatus of Claim 7, wherein: the graphics stream includes a plurality of display sets each of which is used for producing a graphics display; and upon reading the display set to which the graphics data belongs, the graphics decoder decodes the graphics data to generate the graphics and stores the generated graphics to an object buffer (see page 12 paragraph 204-208).

Regarding claim 9, The reproduction apparatus of claim 8, further comprising a plane memory for multiplexing the graphics and the video, wherein the display sets further comprise: a Epoch Start DS having information necessary for displaying a next screen composition and is provided at the start of memory management on a reproduction time axis (see page 5 paragraph 0092); an Acquisition Point DS having information necessary for displaying a next screen composition (see page 5 paragraph

Art Unit: 2621

0093); and a Normal Case DS having difference information from a previous screen composition; wherein the Epoch Start DS is provided at the start of a memory management on a reproduction time axis and the Acquisition Point DS and the Normal Case DS are provided at a point other than the start of the memory management; the graphic data belongs either to the Epoch Start DS or the Acquisition Point DS, and the control information belongs to the Normal Case DS(see page 5-6 paragraph0092-0095); and the reproduction apparatus continuously manage the object buffer and the plane memory from one Epoch Start DS and before the next immediate Epoch Start DS on the reproduction time axis(see page10 paragraph 0165 and page14 paragraph241).

Regarding claim12, The reproduction apparatus of Claim9, wherein: the Epoch Start DS includes window information for defining an area of displaying the graphic data (see page5 paragraph 0092); the window information specifies a position, a height, and a width of a window on a screen, the window being an area in which the graphics data is to be rendered when overlaying the graphics data on the video stream; and the graphics decoder displays the graphics by clearing the window specified by the window information and writing the graphics into the window.

The applied reference has a common inventor(s) with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in

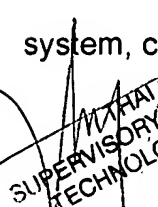
Art Unit: 2621

the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Girumsew Wendmamegn whose telephone number is 571-270-1118. The examiner can normally be reached on 7:30-5:00, M-F, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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